

Entered - 06/12/00 - sb **00-2-1038**
CL00L0350 - DIANNE C. MITCHELL

CLAIM OF: FROSOLONOSO WELLS,
through his attorney,
Kenneth S. Nugent
1355 Peachtree Street
Suite 1000
Atlanta, Georgia 30309

For damages alleged to have been sustained as a
result of a vehicular accident on May 11, 2000 at
332 Ponce de Leon Avenue.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0350

Date: June 26, 2000

Claimant /Victim FROSOLONOSO WELLS
BY: (Atty) Kenneth S. Nugent
Address: 1355 Peachtree Street, Suite 1000, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 06/09/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 05/11/00 Place: 332 Ponce de Leon Avenue
Department Public Works Division: Sanitary Services
Employee involved Michael Garrett Disciplinary Action:

NATURE OF CLAIM: The claimant, a City employee, alleges he was injured while riding in a City vehicle that was involved in a vehicular accident with a third party. As a City employee, the claimant's exclusive remedy for recovery against the City is through his Workers' Compensation benefits. The claimant's attorney has been advised to pursue this claim through Workers' Compensation.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager [Signature] Concur/date 06-26-00
Committee Action: Council Action

KENNETH S. NUGENT, P.C.
ATTORNEYS AT LAW

1355 PEACHTREE STREET
THE PEACHTREE, SUITE 1000
ATLANTA, GEORGIA 30309
(404) 875-0900
FAX (404) 872-7562

Mitchell
06/09/00
DM

KENNETH S. NUGENT
JOHN T. RUFF
WILLIAM D. HOLMAN *
JOHN C. FORBES, JR.
RUSSELL T. DEUTSCHMAN
ADAM W. DEEVER
TERI D. PODUVAL
BARBARA BARNETT CLARIDGE ♦
WENDY A. HEANEY
M. BRIAN CLEMENTS
MICHAEL G. ORR
AHKIBAH KHAN

OFFICES
THROUGHOUT
GEORGIA

* ALSO ADMITTED IN TENNESSEE
♦ ADMITTED IN ALABAMA

June 5, 2000
ENTERED - 6-12-00 - SB
00L0350 - DIANNE MITCHELL

VIA CERTIFIED MAIL

City of Atlanta
Ste. 4100, City Hall Tower
68 Mitchell St., S.W.
Atlanta, GA 30335-0332

RE: Client: : Michael Garrett, *Fresolono Wells, Robert Thomas*
Insured : City- Atlanta/Sanitation
Policy No. :
Date of Accident : 5/11/2000
Our File No. : 218646

Dear Sir/Madam:

Our firm represents Michael Garrett for personal injuries sustained as a result of the referenced accident.

Please advise us if your insured carries medical payments coverage, loss wage coverage and uninsured motorist coverage, and if so, your limits of said coverage.

Pursuant to O.C.G.A. 33-3-28, you are instructed to provide your insurance coverage information within 60 days of the date of the receipt of this letter.

We look forward to working with you in this matter.

Sincerely,

Ken S Nugent

Kenneth S. Nugent, Esq.

LRE/lre
Encl.

00- R-1038